IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 2ND JANUARY 2007 / 12TH POUSHA, 1928.

WP(C).No. 10776 of 2006(G)

PETITIONER:

JAINAMMA JOHN, LECTURER SELECTION GRADE,
DEPARTMENT OF ZOOLOGY, ST.STEPHEN'S COLLEGE,
UZHAVOOR, KOTTAYAM.

BY ADV. SRI.B.MOHANLAL

RESPONDENTS:

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1. STATE OF KERALA, REP. BY ITS SECRETARY
TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DEPUTY DIRECTOR OF COLLEGIATE
EDUCATION, KOTTAYAM.

3. THE MAHATMA GANDHI UNIVERSITY REP. BY
ITS REGISTRAR, PRIYADARSHINI HILLS, KOTTAYAM.

R1 & R2 BY GOVT. PLEADER SRI. T.T. MUHAMMED.
R3 BY ADV. SRI.V.A.MUHAMMED, SC, M.G.UNIVERSITY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 10776/2006.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : THE TRUE COPY OF THE ORDER NO.A.C.BV-3/221/2000 DATED 9.2.2001 ISSUED BY THE MAHATMA GANDHI UNIVERSITY.

EXT. P2 : TRUE COPY OF THE ORDER NO.AC.BV-1/548/04 DATED 4.7.2005 ISSUED BY THE MAHATMA GANDHI UNIVERSITY.

EXT. P3 : TRUE COPY OF THE G.O.(MS) NO.209/96/H.EDN. DATED 24.12.1996.

EXT. P4 : TRUE COPY OF THE ORDER NO.AC.B.V-1-798-05 DATED 19.12.2005 ISSUED BY THE THIRD RESPONDENT.

K.M.JOSEPH, J.

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WP.(C) No.10776 OF 2006

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Dated this the 2nd day of January, 2007

JUDGMENT

Case of the petitioner is as follows:

Petitioner was promoted and appointed to the post of Lecturer Selection Grade and it was approved by Ext.P2 by the University. However, though salary bill was forwarded to the second respondent, he forwarded the matter to the Director for further clarification. Reliance is placed on the decisions reported in **Cherian Mathew v. Principal, S.B.College, Changanassery** (1998(2) K.L.T. 144) and **Jayaprasad v. State of Kerala** (2003(2) K.L.J. 189).

2. Heard learned Government Pleader also. The writ petition is disposed of as follows:

The second respondent shall place his objections to Ext.P2 before the third respondent within a period of one month from the date of receipt of a copy of this judgment. Upon receipt of the objections, the third respondent shall meticulously consider each and every objection raised by the second respondent and pass a reasoned order, which shall be communicated to the petitioner and the second

respondent. If the University reiterates Ext.P2, the decision in **Cherian Mathew's Case** will govern and monetary benefits due to the petitioner under Ext.P2 shall be released to the petitioner without any further delay.

(K.M. JOSEPH, JUDGE)

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K.M.JOSEPH, JJ.

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W.A. No. OF

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JUDGMENT

Dated this the day of February, 2006.